

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
ABINGDON DIVISION**

**BARBARA JONES,**

Plaintiff,

V.

**UNIVERSAL HEALTH  
SERVICES, INC., ET AL.,**

Defendants.

Case No. 1:10CV00046

## ORDER

By: James P. Jones  
United States District Judge

In this employment case, the defendants have moved to dismiss the Amended Complaint on the following grounds: (1) Universal Health Services, Inc., the parent corporation, contends that the facts alleged are insufficient to establish that it was the plaintiff's employer or is otherwise liable for the plaintiff's claims; and (2) all defendants assert that the facts alleged are insufficient to establish claims of retaliation under § 3730(h) of the False Claims Act or wrongful discharge under Virginia law.

After careful consideration of the parties' arguments as set forth in their written submissions,<sup>1</sup> I find that the claims against Universal Health Services, Inc.,

<sup>1</sup> I will dispense with oral argument because the facts and legal contentions are adequately presented in the materials before the court and argument would not significantly aid the decisional process.

ought to be dismissed, but that the remaining defendants' Partial Motion to Dismiss should be denied.<sup>2</sup>

It is accordingly **ORDERED** as follows:

1. Defendant Universal Health Service's Motion to Dismiss (ECF No. 26) is GRANTED and all claims against said defendant are dismissed; and
2. Defendants Keystone Marion, LLC, and Keystone Education and Youth Services, LLC, Partial Motion to Dismiss (ECF No. 28) is DENIED.

ENTER: March 24, 2011

/s/ James P. Jones  
United States District Judge

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<sup>2</sup> In a related case involving the same counsel but a different plaintiff, I set out the legal principles governing my consideration of similar motions. *See United States v. Universal Health Servs., Inc.*, No. 1:07CV00054, 2010 WL 4323082 (W.D. Va. Oct. 31, 2010); *United States v. Universal Health Servs., Inc.*, No. 1:07CV00054, 2010 WL 2976080 (W.D. Va. July 28, 2010).